AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in this application.

Listing of Claims:

1. (Currently amended) A motion-preserving implant device comprising:

a first plate comprising an outer surface for engaging with a first bone and an inner surface including both a **plurality of** first recessed surface**s** and a concave articulation surface, the **plurality of** first recessed surface**s** spaced **outwardly** apart from the concave articulation surface **in a circumscribing relationship therewith**;

a second plate for engaging with a second bone, the second plate comprising a **plurality of** second recessed surface**s**;

a convex articulation member positioned entirely between the two plates and in direct and slidable contact with the concave articulation surface; ~~and~~

a **plurality of** motion-controlling member**s each** extending between **an opposing pair of** the first and second recessed surfaces, wherein the articulation member is separate from and stiffer than the motion-controlling member**s; and**

an elongated member connected to and joining the plurality of motion-controlling members.

2. (Currently Amended) The device of claim 1 wherein the motion-controlling ~~member is~~ **members are** configured to constrain the relative motion between the two plates.

3. (Cancelled)

4. (Currently Amended) The device of claim 1 wherein the motion-controlling member**s** ~~includes a plurality of elastic members~~ **are formed from an elastic material**.

5. (Currently amended) A spinal implant for insertion between two vertebral bodies, comprising:

a first plate comprising an outer surface for engaging with the first vertebral body and an inner surface including both a **plurality of** first recessed surface**s** and a concave articulation surface, the first recessed surface**s** adjacent to **and outwardly circumscribing** the concave articulation surface;

a second plate for engaging with the second vertebral body, the second plate comprising a **plurality of** second recessed surface**s aligned with and facing the plurality of first recessed surfaces**;

an articulation member made from a first material and positioned in direct and articulating engagement with the concave articulation surface and entirely between the two plates; ~~and~~

~~an~~ **a plurality of** elastic motion-controlling member**s** made from a second material**,** ~~and positioned~~ **each motion-controlling member extending** between **an opposing pair of** the first and second recessed surfaces, the second material being more elastic than the first material**; and**

an elongated member connected to and joining the plurality of motion-controlling members.

6. (Currently Amended) The spinal implant of claim 5 wherein the articulation member and the motion-controlling member**s** are configured to provide pivotal and rotational movement between the two vertebral bodies.

7. (Original) The spinal implant of claim 5 wherein the articulation member is configured to provide rotational and translational movement between the two vertebral bodies.

8. (Original) The spinal implant of claim 5 wherein the articulation member is a non-elastic ball and socket.

9. (Original) The spinal implant of claim 5 wherein the plates are coated with an amorphous oxide coating.

10. (Original) The spinal implant of claim 5 wherein the articulation member includes a projection having a convex shape.

11. (Cancelled)

12.-13. (Cancelled)

14. (Original) The spinal implant of claim 12 wherein at least one of the elastic members is constructed of a bio-resorbable material.

15. (Original) The spinal implant of claim 12 wherein at least one of the elastic members is constructed of a material that changes properties in response to its environment.

16. (Original) The spinal implant of claim 12 wherein at least one of the elastic members is constructed of a material that changes properties in response to an external stimulus.

17. (Original) The spinal implant of claim 12 wherein at least one of the elastic members includes a hollow portion.

18. (Original) The spinal implant of claim 12 wherein at least one of the elastic members is filled with a gel.

19. (Original) The spinal implant of claim 12 wherein at least one of the elastic members is shaped as a wheel.

20. (Original) The spinal implant of claim 12 wherein at least one of the elastic members is shaped as a sphere.

21.-26. (Cancelled)

27. (Currently amended) An implant comprising:

a first plate for engaging with a first bone comprising a superior surface and an inferior surface, the superior surface having both a **plurality of** recessed surface portion**s** and a convex articulation surface portion, the recessed surface portion**s** adjacent to **and outwardly circumscribing** the convex articulation surface portion;

a second plate for engaging with a second bone comprising a superior surface and an inferior surface, the inferior surface having a concave articulation surface portion in direct contact and articulating engagement with the convex articulation surface portion; ~~and~~

a **plurality of** motion-controlling member**s**, separate from the convex articulation surface portion, ~~positioned~~ **extending** between the recessed surface portion**s** and the inferior surface of the second plate**; and**

an elongated member connected to and joining the motion-controlling members.

28. (New) The implant of claim 27 wherein;

the elongated member is of a flexible material.

29. (New) The implant of claim 27 wherein:

the elongated member extends through the plurality of motion-controlling members.

30. (New) The device of claim 1 wherein:

the elongated member is of a flexible material.

31. (New) The device of claim 1 wherein:

the elongated member extends through the plurality of motion-controlling members.

32. (New) The spinal implant of claim 5 wherein:

the elongated member is of a flexible material.

33. (New) The spinal implant of claim 5 wherein:

the elongated member extends through the plurality of motion-controlling members.

34. (New) A motion-preserving implant device comprising:

a first plate member;

a second plate member disposed in a spaced apart, facing and generally parallel relationship with the first plate member;

an articulation member centrally disposed between the first and second plate members; and

a plurality of motion restraining members disposed between the first and second plate members, outwardly circumscribing the articulation member, and being strung together, necklace-like, by an elongated joining member.